

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

THOMAS H. KRAKAUER,  
on behalf of a class of persons,

Plaintiff,

v.

Civil Action No. 1:14-cv-00333-CCE-JEP

DISH NETWORK, L.L.C.,

Defendant.

**SECOND JOINT MOTION FOR EXTENSION OF FILING DEADLINES  
WITH RESPECT TO DISPOSITION OF UNCLAIMED FUNDS**

The parties, through their undersigned counsel, jointly move the Court for an order that allows for a one-week extension of the deadlines contained in the Order on Joint Motion for Extension of Time (Doc. 572) for briefing on the disposition of unclaimed funds. The parties request this extension to facilitate negotiations on a potential settlement of the remaining issues in this case. In support of the Joint Motion, the parties state as follows:

The Order on Joint Motion for Extension of Time requires Plaintiff to file a joint motion or Plaintiff's motion (if agreement cannot be reached) regarding the disposition of unclaimed funds, along with a proposed order and brief, on April 13, 2020. This date was originally set for April 2, 2020, but was extended to allow the parties to negotiate toward a potential settlement. Remaining briefing deadlines were listed in the Order.

Since the Court entered the Order, the parties have exchanged settlement proposals, and continue to negotiate. The parties believe a one-week extension of the briefing schedule is necessary and prudent to allow the parties to continue their negotiations.

For these reasons, which constitute good cause for an extension of time, the parties respectfully request that the current deadlines be extended as follows:

- Joint motion or Plaintiff's motion due: April 20, 2020
- DISH's motion and opposition due: May 4, 2020
- Plaintiff's opposition and reply due: May 14, 2020
- DISH's reply due: May 19, 2020

\* \* \*

The parties respectfully request that the Court grant the extension of time requested in this Joint Motion. A proposed order is attached as Exhibit A.

Respectfully submitted,

Dated: April 10, 2020

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### **CERTIFICATE OF SERVICE**

The undersigned counsel certifies that the foregoing was filed through this Court's CM/ECF system, and that all attorneys of record will be sent a copy of the same electronically through that system.

/s/ John W. Barrett  
John W. Barrett

Dated: April 10, 2020

## WORD COUNT CERTIFICATION

I hereby certify that the foregoing motion contains 564 words, in compliance with the Court's word limitations as set forth in Local Rule 7.3(d), as calculated by the word count function of the word processing system used to prepare the foregoing brief.

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